

CHAPTER NO. 886

SENATE BILL NO. 2140

By Davis

Substituted for: House Bill No. 2364

By Curtiss, Ferguson, Fraley, Lewis, Walker, Maddox, Stulce, Williams, White, Ridgeway,
Sargent, Fitzhugh

AN ACT To authorize counties to levy an additional litigation tax for purposes of jail or workhouse construction, re-construction or upgrading, and to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 6.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-4-601, is amended by redesignating the present section to be subsection (a) and by adding a new subsection (b) as follows:

(b)(1) Notwithstanding any other law to the contrary, each county by resolution of its legislative body, adopted by two-thirds (2/3) majority vote, may levy a privilege tax on litigation in all civil and criminal cases instituted in the county, other than those instituted in municipal courts, in addition to all other such privilege taxes authorized by law. Any tax levy adopted under this subsection shall not exceed ten dollars (\$10.00) per case and the proceeds shall be used exclusively for purposes of jail or workhouse construction, re-construction or upgrading, or to retire debt, including principal and interest and related expenses, for same.

(2) Any tax levy adopted under this subsection shall only be effective until such time as all expenses of the construction, re-construction or upgrading project have been paid or until such time as the debt for such project has been retired. For the purposes of this subsection, debt shall include principal, interest, origination costs and related expenses as well as any debt issued for the purposes of re-financing the original indebtedness.

(3) Notwithstanding any other law to the contrary, the State of Tennessee shall not be liable for or pay the tax levied under this subsection in any civil or criminal case on behalf of any individual because such individual is indigent.

SECTION 2. Tennessee Code Annotated, Section 67-4-601, is amended by adding the following new subdivision to subsection (b):

Notwithstanding any provision of law to the contrary, the provisions of this act shall not apply to any publicly owned hospital in any county having a population of not less than seventy-three thousand six hundred (73,600) and not more than seventy-three thousand nine hundred (73,900) if the county commission for such county by majority vote provides that any such hospital shall be exempt.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 31, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this day of 2000

DON SUNDQUIST, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had Senate Bill No. 2140 in his possession longer than ten (10) days, so therefore the bill becomes law without the Governor's signature.